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Attorney Docket P0891C8

PATENT

EXPRESS MAIL LABEL NO. EL 599585763 US -

DATE MAILED: May 18, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION
Assistant Commissioner of Patents
Washington, D.C. 20231

22141 U.S. PTO
10/848814

NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Stuart Bunting, Montara, California
Ross Clark, Auckland, New Zealand
Nancy Gillett, Reno, Nevada
Hongkui Jin, San Bruno, California
Renhui Yang, San Bruno, California

Title: **TREATMENT OF CONGESTIVE HEART FAILURE**

1. Type of Application

- ☐ This application is for an original, non-provisional application.
- ☐ This is a non-provisional application claiming priority to provisional application no. __, filed __, the entire disclosure of which is hereby incorporated by reference.
- ☒ This is a ☐ continuation-in-part ☒ continuation ☐ divisional application claiming priority to application Serial Number 10/623,129, filed July 18, 2003 which is a continuation of application Serial Number 10/288,254, filed November 4, 2002 which is a continuation of application Serial Number 10/045,622, filed October 24, 2001, which is a continuation of application Serial Number 09/724,787, filed November 28, 2000, which is a continuation of Serial Number 09/550,736, filed April 17, 2000, which is a continuation of Serial Number 09/302,924, filed April 30, 1999, which is a continuation of application Serial Number 08/228,548, filed April 15, 1994, now U.S. Pat. No. 5,935,924 the entire disclosures of which are hereby incorporated by reference.

2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)

13 pages of specification
1 pages of claims
1 page(s) of abstract
5 sheet(s) of drawings
☒ formal ☐ informal

3. Declaration or Oath

(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)
___ An executed declaration of the inventor(s) ☐ is enclosed ☐ will follow.

(for Cont./Div. where inventorship is the same or inventor(s) being deleted)

 X A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

(for Cont./Div. where inventor(s) being deleted)

 A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

4. Assignment

(for new and CIP applications)

 An Assignment of the invention to GENENTECH, INC. ☐ is enclosed with attached Recordation Form Cover Sheet ☐ will follow.

(for cont./div.)

 X The prior application is assigned of record to Genentech, Inc.

5. Amendments (for continuation and divisional applications)

 Cancel in this application original claims of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

 A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

6. Payment of Fees

 X Applicants request deferral of payment of the filing fee until submission of the missing parts of application. **DO NOT CHARGE THE FILING FEE AT THIS TIME.**

7. Additional Papers Enclosed

☐ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations

☐ Submission of "Sequence Listing", computer readable copy, certificate re: sequence listing, and/or amendment pertaining thereto for biological invention containing nucleotide and/or amino acid sequence.

☐ A new Power of Attorney or authorization of agent.

☐ Other:

8. Maintenance of Copendency of Prior Application (for continuation and divisional applications)

*[This item **must** be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

 X A petition, fee and/or response has been filed to extend the term in the pending prior application.

 X A copy of the petition for extension of time in the **prior** application is attached.

9. Correspondence Address:

 X Address all future communications to:

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Attn: Janet E. Hasak

Respectfully submitted,
GENENTECH, INC.

Date: May 18, 2004

By: Janet E. Hasak
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CUSTOMER NO: 09157



17589 U.S. PTO

COPY

Patent Docket P0891C7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Stuart Bunting et al. Serial No.: Unassigned Filed: July 18, 2003 For: TREATMENT OF CONGESTIVE HEART FAILURE	Group Art Unit: Unassigned Examiner: Unassigned Confirmation No: 4492 CUSTOMER NO: 09157 May <u>18</u> 2004 Express Mail Label No. EL 599585746 US
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PETITION AND FEE FOR FIVE MONTH EXTENSION OF TIME
(37 CFR 1.136(a))

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant petitions the Commissioner of Patents and Trademarks to extend the time for response to the Notice to File Missing Parts of Nonprovisional Application Filed Under 37 CFR 1.53(b) - Filing Date Granted dated October 22, 2003 for five month(s) from December 22, 2003 to May 22, 2003. The extended time for response does not exceed the statutory period.

Please charge Deposit Account No. 07-0630 in the amount of \$2,010 to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to this deposit account. A duplicate of this sheet is enclosed.

Respectfully submitted,
GENENTECH, INC.

Date: May 18, 2004

By: Janet E. Hasak
Janet E. Hasak
Reg. No. 28,616
Telephone No. (650) 225-1896